

January 25, 2016



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 16337

EXPIRATION DATE: December 31, 2017

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Volkswagen Group of America (VWGoA)
Herndon, VA
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of certain lithium ion batteries each with a net weight greater than 35 kg by cargo-only aircraft. This special permit provides no relief from the Hazardous Materials Regulations (HMR) or the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO TI) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
 - c. No party status will be granted to this special permit.
 - d. This special permit serves as an approval under the ICAO TI Special Provision A99 and as a "Competent Authority Approval" as defined under 49 CFR § 107.1.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180 and the ICAO TI.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.102(c)(2), Special Provision A54 in that a lithium ion battery may not exceed 35 kg when transported by cargo aircraft, except as provided herein.

January 25, 2016

5. BASIS: This special permit is based on the application of Volkswagen Group of America (VWGoA) dated November 20, 2014 submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Lithium ion batteries	9	UN3480	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING -

(1) Each battery must be packaged in accordance with § 173.185(b), Packing Instruction 965 of the ICAO TI, and the following:

(i) Each battery must be packaged in an inside fiberboard box that completely encloses the battery.

(ii) The battery must be surrounded by cushioning material that is non-combustible and nonconductive.

(iii) The inner fiberboard box must be further packaged within a UN 4GV fiberboard box meeting the Packing Group I performance standard.

(2) The net weight of a battery in a package may not exceed 37 kg.

(3) Each outer package may contain no more than one battery.

(4) The gross weight of a package containing the battery may not exceed 63 kg.

b. OPERATIONAL CONTROLS -

(1) The authorized lithium ion batteries (1.4 kWh maximum) [identified on the test report dated January 7, 2009 and on file with the Office of Hazardous Materials Safety Approvals and Permits Division (OHMSAPD)] are composed of 72 cells (5 Ah each) [identified on the test report dated May 7, 2008 and on file with the OHMSAPD] in a configuration of 72slp [as specified in the application dated November 20, 2014, additional information and on file with OHMSAPD]

(2) The battery must have a pressure relief vent.

(3) The battery must be equipped with an effective means to prevent dangerous reverse current flow.

(4) All batteries must be protected against short-circuiting.

(5) The state of charge of the battery may be not more than 50% during transportation.

c. TESTING:

(1) All lithium ion cells must be of a type that have passed all required tests as specified in the "UN Manual of Tests and Criteria, 5th Revised Edition."

(2) All lithium ion batteries (1.4 kWh) must be of a type that have passed all required tests as specified in the "UN Manual of Tests and Criteria, 5th Revised Edition."

8. SPECIAL PROVISIONS:

a. Under the terms of this special permit, the grantee may only offer hazardous materials (i.e., the grantee is not authorized as a carrier).

b. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit, the HMR, and the ICAO TI.

January 25, 2016

- c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
- d. This special permit in no way affects the need to obtain any required authorizations from other agencies of the United States Government or from the competent authorities of countries of origin, transit, and destination.
9. MODES OF TRANSPORTATION AUTHORIZED: Cargo aircraft only.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit. The shipper must furnish a copy of this special permit to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat.

January 25, 2016

1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm. Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: HWANG